

CONGRESSIONAL COMMITTEE ACTION
AND HUMAN RIGHTS

ARGENTINA: The Senate Foreign Relations Committee by a vote of eleven to one recommended repeal of Kennedy-Humphrey Section 620(B). In so doing, however, they attached two conditions. Before resuming security assistance, the President will be required to certify to the Congress that Argentina "has made significant progress in complying with internationally recognized human rights." In making such a certification, the President is to pay particular attention to the problem of the "disappeared" and to those held under the National Executive Power (PEN).

The House Foreign Affairs Committee which had earlier voted to appeal Kennedy-Humphrey without condition reversed itself following the Senate Committee's action and on reconsideration voted to adopt the proposed Senate restrictions (copy attached). The Administration plans to fight these restrictions on the floor.

EL SALVADOR: With strong bi-partisan support both the HFAC and SFRC voted restrictions upon continued U.S. military assistance to El Salvador. The President would be required to certify to the Congress every six months that the GOES is not a gross violator of human rights, that efforts are being made to end human rights abuses by the security forces, that progress is being made in the investigation of the murders of the AIFIL representatives and American missionaries, and that the GOES is willing to participate in a negotiated settlement of the conflict. The Administration opposed these restrictions.

ANGOLA: The HFAC voted against repeal of the Clark Amendment. The Senate Foreign Relations Committee supported repeal, but linked repeal to progress on Namibia. We do not as yet have a copy of the proposed Senate restrictions.

ZAIRE: In the mark-up of the FY-82 foreign assistance authorization bill, the HFAC voted to sharply reduce U.S. concessional military assistance to Zaire because of the poor human rights record of the Mobutu regime. Foreign Military Sales Credits under the Committee proposal would be reduced from ten to six million.

HAITI: Again in marking-up the FY-82 authorization bill, the HFAC voted to condition U.S. military assistance to Haiti on progress in human rights, control of illegal emigration, and ~~broken~~ (i.e., non-corrupt) use of our economic assistance.

proper

Conditions on security assistance to Argentina
Passed by Senate Foreign Relations Committee, 5/11/81*

Section 412(a) of S. 976, relating to Argentina, is amended to read as follows:

- (a) Section 620B of the Foreign Assistance Act of 1961, relating to Argentina, is repealed.
- (b) Notwithstanding any other provision of law, no assistance may be furnished under Chapter 2, 4, 5, or 6 of Part II of the Foreign Assistance Act of 1961, and no sales of defense articles or services may be made under the Arms Export Control Act, to Argentina, unless an until the President submits to the Speaker of the House of Representatives and the Chairman of the Committee on Foreign Relations of the Senate a detailed report certifying:
 - (1) that the government of Argentina has made significant progress in complying with internationally recognized principles of human rights. In determining significant progress, particular attention shall be paid to whether the Government of Argentina has made every effort to account for those citizens identified as "disappeared" and whether the Government of Argentina has either released or brought to justice those prisoners held at the disposition of the National Executive Power (PEN):
 - (2) that the provision of such assistance, articles, or services is in the national interest of the United States.

*N.B. In debate on this measure, Members reached the consensus that the Kennedy-Humphrey Section 620B should be repealed, but that aid and articles prohibited under that provision should be provided to Argentina only upon the certification of those conditions set forth. In order for the new measure to be comprehensive, as intended, the language "no credits (including participation in credits) may be extended and no loan may be guaranteed under the Arms Export Control Act with respect to Argentina" and "no export licenses may be issued under Section 38 of the Arms Export Control Act to or for the Government of Argentina" should be added to the assistance and sales subject to certified conditions. This would be a technical amendment.